

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

JAMES M. ASSEY AND JOAN P.	)	Civil Action No. 3:22cv-02647-JDA
ASSEY	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	<b><u>STIPULATED RULE 41(a) DISMISSAL OF CERTAIN CAUSES OF ACTION</u></b>
	)	
AMERICAN HONDA MOTOR CO.,	)	
INC.	)	
	)	
Defendant.	)	

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COMES NOW Plaintiffs James and Joan Assey, by and through counsel of record, and hereby dismiss, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the following causes of action presented in Plaintiffs' Amended Complaint for Damages [ECF No. 43].

1. Paragraphs 25-31, including subparts (Negligence, Gross Negligence, Willful and Wanton Conduct: Design Defect), to the extent those paragraphs allege any design defect in the driver's side seat belt assembly, including seat belt retractor, pretensioner, or other components of the seat belt system, installed in the Plaintiffs' model year 2020 Honda Odyssey vehicle.
2. Paragraphs 39-51 (Strict Liability in Tort, Section 15-73-10, S.C. Code of Laws, Ann. (1976, as amended), to the extent those paragraphs allege any design defect (but not as to any manufacturing defect which Plaintiffs do not agree to dismiss) in the driver's side seat belt assembly, including seat belt retractor, pretensioner, or other components of the seat belt system, installed in the Plaintiffs' model year 2020 Honda Odyssey vehicle.
3. Paragraphs 64-68 (Punitive Damages), to the extent the claims for punitive damages arise out of any alleged design defect related to the driver's side seat belt assembly, including seat belt retractor, pretensioner, or other components of the seat belt system, installed in the Plaintiffs' model year 2020 Honda Odyssey vehicle.

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Defendant American Honda Motor Co., Inc., by and through its counsel of record, hereby stipulate to this dismissal with prejudice of the above identified causes of action.

Respectfully submitted this 3<sup>rd</sup> day of December, 2024.

By: /s/Kevin R. Dean

Kevin R. Dean, Esq. (Fed I.D. 8046)  
Lee M. Heath, Esq. (Fed I.D. 9794)  
Marlon Kimpson, Esq. (Fed I.D. 17042)  
MOTLEY RICE LLC  
28 Bridgeside Boulevard  
Mount Pleasant, South Carolina 29464  
Phone: (843) 216-9000  
[kdean@motleyrice.com](mailto:kdean@motleyrice.com)  
[lheath@motleyrice.com](mailto:lheath@motleyrice.com)  
[mkimpson@motleyrice.com](mailto:mkimpson@motleyrice.com)

Luther J. Battiste, III, Esq.  
JOHNSON TOAL & BATTISTE, P.A.  
1615 Barnwell St.  
Columbia, South Carolina 29202  
Phone: (803) 252-9700  
[bat@jtbpa.com](mailto:bat@jtbpa.com)

**ATTORNEYS FOR PLAINTIFFS**

Stipulated and agreed to,

/Patrick J. Cleary

Patrick J. Cleary (SC Fed. Bar No. 11096)  
[Patrick.Cleary@bowmanandbrooke.com](mailto:Patrick.Cleary@bowmanandbrooke.com)  
BOWMAN AND BROOKE LLP  
1441 Main Street, Suite 1200  
Columbia, SC 29201  
Phone: 803-726-7420; Fax: 803-726-7421

David L. Ayers (MSB No. 1670, *admitted pro hac vice*)

[dayers@watkinseager.com](mailto:dayers@watkinseager.com)

Jennifer A. Rogers (MSB No. 100670,  
*admitted pro hac vice*)

[jrogers@watkinseager.com](mailto:jrogers@watkinseager.com)  
400 East Capitol Street (39201)  
P. O. Box 650  
Jackson, MS 39205  
Phone: 601-965-1900; Fax: 601-965-1901

***ATTORNEYS FOR DEFENDANT  
AMERICAN HONDA MOTOR CO., INC.***